

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as Express Mail Label No.: ER 535435837US, in an envelope addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date shown below.

Dated: February 6, 2004

Signature: Lisa K. Small

Lisa K. Small

ATTORNEY DOCKET NO. 10201-20006.01

Express Mail Label No. ER 535435837 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Prior application:

Examiner Ford, John M.

Art Unit 1624

Commissioner for Patents

P.O. Box 1450

Mail Stop PATENT APPLICATION

Alexandria, VA 22313-1450

Sir:

This is a request for filing a ☒ continuation ☐ divisional application under 37 CFR § 1.53(b), of pending prior application no. filed on

of Gustave BERGNES, Bing YAO, David MORGANS, Jr. and Whitney W. SMITH

(inventor(s) currently of record in prior application)

for PROCESS FOR THE RACEMIZATION OF CHIRAL QUINAZOLINONES

(title of invention)

1. ☒ The filing fee is calculated below:

PATENT APPLICATION FEE VALUE

TYPE	NÖ. FILED	LESS	EXTRA	EXTRA RATE	FEE
Total Claims	11	- 20	0	\$18.00 each	\$ 0.00
Independent	1	- 3	0	\$84.00 each	\$ 0.00
Minimum Fee					\$ 770.00
Multiple Dependency Fee					\$ 0.00
If Applicable (\$280.00)					\$ 0.00
Total					\$ 770.00
Applicant qualifies for the 50% Reduction for Independent Inventor, Nonprofit Organization or Small Business Concern					\$ 0.00
Total Filing Fee					\$ 770.00

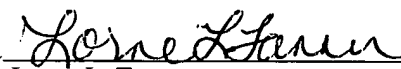
2. ☒ Please charge the required fee to Deposit Account No. 50-1339. A copy of this sheet is enclosed.
3. ☒ Amend the specification by inserting before the first line the following sentence: This is a continuation of application no. 10/300,967, filed November 20, 2002.
- 4a. ☐ New formal drawings are enclosed.
- 4b. ☐ Informal drawings are enclosed.
- 5a. ☐ Priority of application no. filed on in is claimed under 35 U.S.C. §119.

- 5b. ☐ The certified copy has been filed in prior application no. , filed .
6. ☒ The prior application is assigned of record to CYTOKINETICS, INC.
- 7a. ☒ A copy of the Power of Attorney filed in the prior application no. 10/300,967, filed November 20, 2002 is enclosed.
- 7b. ☐ A Power of Attorney is enclosed.
8. ☐ This application contains nucleic acid and/or amino acid sequences required to be disclosed in a Sequence Listing under 37 CFR §§1.821-1.825. It is requested that the Sequence Listing in computer readable form from prior application no., filed on be made a part of the present application as provided for by 37 C.F.R. §1.821(e). The sequences disclosed therein are the same as the sequences disclosed in this application. A copy of the paper Sequence Listing from application no. is enclosed.
9. ☐ The undersigned states, under 37 C.F.R. §1.821(f), that the content of the enclosed paper Sequence Listing from application no. is the same as the content of the computer readable form submitted in application no. .
10. ☐ DO NOT PUBLISH. I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).
11. ☒ Additional enclosures or instruction Preliminary Amendment

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment to Deposit Account No. 50-1339. This paper is submitted in duplicate.

Respectfully submitted,

Date February 6, 2004



Lorna L. Tanner
SWISS LAW GROUP
3000 El Camino Real
Building 3, Suite 100
Palo Alto, CA 94306

50,782
(Reg. No.)